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13 IN THE UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 JOHN ARMSTRONG, et al.,) Case No. C 94 2307 CW
16 Plaintiffs,)
17 v.) **ORDER CONFIRMING UNDISPUTED
18 ARNOLD SCHWARZENEGGER, et al.,) BOARD OF PAROLE HEARINGS
19 Defendants.) ATTORNEYS' FEES AND COSTS FOR
20) THE THIRD QUARTER OF 2008**
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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN ARMSTRONG, et al.,) Case No. C 94 2307 CW
)
Plaintiffs,)
) **ORDER CONFIRMING UNDISPUTED**
) **BOARD OF PAROLE HEARINGS**
) **ATTORNEYS' FEES AND COSTS FOR**
) **THE THIRD QUARTER OF 2008**
v.)
)
ARNOLD SCHWARZENEGGER, et al.,)
)
Defendants.)
)

On March 21, 2001, the District Court ordered all further fee and expense requests and disputes in the Board of Parole Hearing (BPH)¹ portion of the case shall be resolved through the periodic fee process established by this Court's March 26, 1997 order.

On March 26, 1997, the District Court established procedures by which plaintiffs are to collect periodic attorneys' fees and costs in this case in connection with their work monitoring defendants' compliance with the Court's Orders and collecting fees.

Pursuant to these procedures, plaintiffs delivered by overnight delivery their Third Quarterly Statement for 2008 to defendants on November 6, 2008. Defendants submitted their objections to plaintiffs' statement on December 16, 2008. The parties completed their meet and confer on January 6, 2009, and reached an agreement.

The parties agree to the total payment of \$149,529.89 in undisputed fees and costs, for monitoring and fee collection activities in the BPH portion of the case for the Third Quarterly

¹ The former Board of Prison Terms (BPT) was part of a state government reorganization effective July 1, 2005, and is now known as the Board of Parole Hearings (BPH).

1 Statement for 2008, which will become due and owing forty-five days from the entry of this Order.
2 Attached hereto as Exhibit A is a chart setting forth the balance due.

3 IT IS HEREBY ORDERED that plaintiffs' fees and costs of \$149,529.89, plus interest, are
4 due and collectable as of forty-five days from the date of entry of this Order. Interest on these fees
5 and costs will run from December 8, 2008 accruing at the rate provided by 28 U.S.C. §1961.

6 IT IS SO ORDERED.

7 1/12/09



8 Dated: _____

9 Claudia Wilken
10 United States District Judge

11 APPROVED AS TO FORM:

12 _____/s/ Jay C. Russell
13 Jay C. Russell
14 Deputy Attorney General
15 Attorney for Defendants

DATED: 1/9/09

16 _____/s/ Holly Baldwin
17 Holly M. Baldwin
18 Rosen, Bien & Galvan, LLP
19 Attorneys for Plaintiffs

DATED: 1/9/09